

# **California Victim Compensation and Government Claims Board**

## **Open Meeting Minutes**

### **January 18, 2007, Board Meeting**

The California Victim Compensation and Government Claims Board (Board) convened its meeting in open session at the call of Rosario Marin, Secretary, State and Consumer Services Agency, in the Sacramento River Room, 400 R Street, Sacramento, California, on Thursday, January 18, 2007, at 10:05 a.m. Also present were Board members Richard J. Chivaro, Deputy Controller, acting for and in the absence of John Chiang, Controller, and Michael A. Ramos, San Bernardino District Attorney.

Board staff present included Karen McGagin, Executive Officer; Tom O'Connor, Chief Deputy Executive Officer; Kathleen Andleman, Chief Counsel; and Linda Paluda, Manager, Government Claims Program. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

#### **Item 1. Minutes of the December 14, 2006, Board Meeting**

The minutes of the December 14, 2006, Board Meeting were adopted with Board member Michael Ramos abstaining from the vote.

#### **Item 2. Public Comment**

The Board opened the meeting for public comment. No public comment was offered.

#### **Item 3. Executive Officer's Statement**

The Executive Officer gave her report to the Board, which included the following information:

- VCGCB welcomed new Board Member State Controller John Chiang.
- VCGCB completed its relocation to 400 R Street on January 8. The new location for the VCGCB offers a newer facility, larger hearing room, and better public access at less cost.
- CaRES (Compensation and Restitution System) implementation continues. The VCGCB's new automated claims processing system has proven itself as an end-to-end system capable of handling the victim compensation process from initial application to final payment. Additional functions include appeals, automated correspondence with customers, and bill payments, which are targeted to be available this year.
- Information on laws impacting the Board was presented.
  - AB 2413, sponsored by the VCGCB, creates a pilot program that allows compensation for the loss of childcare services;
  - AB 105 allows the VCGCB's Victim Compensation Program to reimburse more than one relocation per crime, if the relocation is necessary for the personal safety or emotional well being of the victim, as long as the total reimbursement does not exceed the \$2,000 statutory limit; and

- AB 2869 allows an individual who pays the funeral and burial expenses for a victim killed by a crime covered under the Victim Compensation Program to be reimbursed, when the victim was a felon and the individual receiving reimbursement is not a felon. It also allows an individual who is not a felon to be reimbursed for crime scene cleanup expenses in cases where the crime victim was a felon.
- The new Public Information Officer, Miles Bristow, was introduced to the Board.

#### **Item 4. Contract Report**

The Executive Officer delivered the Contract Report to the Board. No action required.

#### **Government Claims Program**

#### **Item 5. Consent Agenda (Nos. 1- 405)**

The Board voted to adopt the staff recommendations for numbers 1 through 405.

#### **Item 6. Riverside County Sheriff's Office** **G559430-G559432**

The Board voted to adopt the staff recommendation to allow the claims in the total amount of \$8,202.09 to be paid pursuant to Government Code section 13928 (legislative pay).

#### **Item 7. Placer County Transportation Planning Agency** **G561074**

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$90,920.10 to be paid pursuant to Government Code section 965 (agency pay).

#### **Item 8. Queen of the Valley Hospital** **G563638**

Alan Jessen, Assistant Hospital Administrator, appeared on behalf of the Department of Veterans Affairs.

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$174,591.37 to be paid pursuant to Government Code section 965 (agency pay).

#### **Item 9. Request for Delegation of Authority**

The Board voted to adopt the staff recommendation to approve the request for delegation of authority by the Department of Motor Vehicles to settle and pay or reject timely claims that do not exceed \$1,000 per claim.

#### **Item 10. Mileage Reimbursement for Elected Officers and Members of the Judiciary**

The Board voted to adopt the staff recommendation to approve an increase in mileage reimbursement rates for use of private vehicles to 48.5 cents per mile effective

January 1, 2007 and to adopt a corresponding amendment to California Code of Regulations, Title 2, section 714.

**Item 11. Protest of Compucom Systems, Inc.  
Invitation for Bid Number 55399**

Steven A. McGee, Senior Staff Counsel, appeared on behalf of the Department of General Services.

The Board voted to adopt the staff recommendation to dismiss the protest without further hearing.

**Item 12. Protest of The Medstat Group, Inc., dba Thomson Medstat  
Request for Proposal DHS 4260-186**

Kathryn Doi, Esq., Greenberg Traurig, LLP, appeared on behalf of The Medstat Group, Inc., dba Thomson Medstat.

Steven McGee, Senior Staff Counsel, appeared on behalf of the Department of General Services.

Michael D. Newman, Esq., Crowell & Moring, LLP, appeared on behalf of Integris, Inc., dba Bull Services.

The Board voted to adopt the staff recommendation to deny the protest.

**Victim Compensation Program**

The Board commenced the Victim Compensation Program portion of the meeting at 11:06 a.m.

**Item 13. Consent Agenda (Nos. 1- 48)**

The Board voted to adopt the staff recommendation for numbers 1 through 48.

**Item 14. Requests for Reconsideration (Nos. 49 - 63)**

The Board voted to adopt the staff recommendations to deny the requests for reconsideration.

**Item 15. Proposed Decisions Following Failure to Appear (Nos. 64 -156)**

The Board voted to adopt the proposed decisions for numbers 64 through 156 with the exception of number 79, which was pulled and returned back to the hearing officer.

## **Closed Session**

Pursuant to Government Code sections 11126(c)(3) and 11126(e), the Board adjourned into Closed Session with the Board's Executive Officer, Chief Deputy Executive Officer, and Chief Counsel at 11:12 a.m. to deliberate on the proposed decisions, numbers 157 through 185, and to confer with and receive advice from counsel regarding pending litigation. The Board reconvened into open session at 11:15 a.m.

## **Open Session**

The Board voted to adopt the proposed decisions, numbers 157 through 185.

## **Adjournment**

The Board meeting adjourned at 11:16 a.m.

Karen McGagin  
Executive Officer

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I certify that the California Victim Compensation and Government Claims Board adopted these minutes at its meeting of February 22, 2007, at Sacramento, California.

Date: February 22, 2007

By: \_\_\_\_\_

Board Liaison

(Affix Seal here)